

REMARKS

In light of the amendments above and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1, 2, 4-12, and 14-44 are in this application. Claims 3 and 13 are canceled.

Claims 1-5, 8-15, and 18-39 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rhoads et al. (US Patent No. 6,522,769) in view of 4C Entity (4C 12 Bit Watermark Specification, October 29, 1999, www.4centity.com/data/tech/4cspec.pdf).

Independent claim 1 has been amended herein to include features from canceled claim 3. That is, independent claim 1, as amended herein, recites in part as follows:

"... wherein said management information in the watermark of the strong remaining intensity remains even if a signal process is executed to the content data and said management information in the watermark of the weak remaining intensity is erased by executing a signal process to the content data." (Emphasis added.)

Thus, in claim 1, management information may be embedded and recorded into content data as a watermark of strong remaining intensity and a watermark of weak remaining intensity. When a signal process is applied to the two watermarks, the management information in the watermark of strong remaining intensity remains and the management information in the watermark of weak remaining intensity is erased.

In explaining the rejection, the Examiner appears to rely on col. 14, lines 27-35 of Rhoads to teach the above-recited feature. (See page 4 of the Office Action with regard to claims 3 and 13.) It is respectfully submitted that the portion of Rhoads applied by the Examiner (hereinafter "Rhoads") does

not appear to teach the above-recited feature of amended independent claim 1. That is, Rhoads appears to merely disclose a first watermark and a second watermark and if the watermark signal is corrupted, the "first watermark may have been weakened." See col. 14, lines 30-31 of Rhoads. Rhoads does not appear to teach that management information in a watermark having a weak remaining intensity is erased when a signal process is executed on the content data as in claim 1. Accordingly, claim 1 is believed to be distinguishable from the applied combination of Rhoads and 4C Entity.

For similar or somewhat similar reasons to those described above with regard to independent claim 1, amended independent claims 11, 19, 22, 27, and 35 are believed to be distinguishable from the applied combination of Rhoads and 4C Entity.

Claims 2, 4, 5, 8-10, 12, 14, 15, 18, 20, 21, 23-26, 28-34, and 36-39 depend from one of claims 1, 11, 19, 22, 27, and 35, and, due to such dependency, are believed to be distinguishable from the applied combination of Rhoads and 4C Entity for at least the reasons previously described.

Claims 6, 7, 16, and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rhoads in view of 4C Entity and further in view of Applicant's admitted prior art (AAPA).

Claims 6, 7, 16, and 17 depend from one of claims 1 and 11, and, due to such dependency, are believed to be distinguishable from the applied combination of Rhoads and 4C Entity for at least the reasons previously described. The Examiner does not appear to have relied on AAPA to overcome the above-described deficiencies of the Rhoads and 4C Entity combination. Accordingly, claims 6, 7, 16, and 17 are due to such dependency, are believed to be distinguishable from the applied combination of Rhoads, 4C Entity, and AAPA for at least the reasons previously described.

Claims 40-44 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rhoads in view of 4C Entity and further in view of Kuroda (US Patent No. 6,633,723).

For similar or somewhat similar reasons to those described above with regard to independent claim 1, amended independent claim 40 is believed to be distinguishable from the applied combination of Rhoads and 4C Entity. The Examiner does not appear to have relied on Kuroda to overcome the above-described deficiencies of the Rhoads and 4C Entity combination. Accordingly, claim 40 is believed to be distinguishable from the applied combination of Rhoads, 4C Entity, and Kuroda.

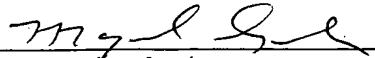
Claims 41-44 depend from claim 40, and, due to such dependency, are believed to be distinguishable from the applied combination of Rhoads, 4C Entity, and Kuroda for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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